

PATENT COOPERATION TREATY

From the INTERNATIONAL SEARCHING AUTHORITY

To:
JOHN A. DRAGSETH
FISH & RICHARDSON P.C.
3300 DAIN RAUSCHER PLAZA
60 SOUTH 6TH STREET
MINNEAPOLIS, MN 55402

PCT

NOTIFICATION OF TRANSMITTAL OF
THE INTERNATIONAL SEARCH REPORT AND
THE WRITTEN OPINION OF THE INTERNATIONAL
SEARCHING AUTHORITY, OR THE DECLARATION

(PCT Rule 44.1)

Date of mailing
(day/month/year)

17 SEP 2007

Applicant's or agent's file reference
16113-004WO1

FOR FURTHER ACTION See paragraphs 1 and 4 below

International application No
PCT/US05/22962

International filing date
(day/month/year) 24 June 2005 (24.06.2005)

Applicant
GOOGLE, INC.

1. ☒ The applicant is hereby notified that the international search report and the written opinion of the International Searching Authority have been established and are transmitted herewith.

Filing of amendments and statement under Article 19:

The applicant is entitled, if he so wishes, to amend the claims of the international application (see Rule 46):

When? The time limit for filing such amendments is normally two months from the date of transmittal of the international search report.

Where? Directly to the International Bureau of WIPO, 34 chemin des Colombettes
1211 Geneva 20, Switzerland, facsimile No. (+41-22) 338.82.70.

For more detailed instructions, see the notes on the accompanying sheet.

2. ☐ The applicant is hereby notified that no international search report will be established and that the declaration under Article 17(2)(a) to that effect and the written opinion of the International Searching Authority are transmitted herewith.

3. ☒ With regard to the protest against payment of (an) additional fee(s) under Rule 40.2, the applicant is notified that:

☐ the protest together with the decision thereon has been transmitted to the International Bureau together with the applicant's request to forward the texts of both the protest and the decision thereon to the designated Offices.

☒ no decision has been made yet on the protest; the applicant will be notified as soon as a decision is made.

4. Reminders

Shortly after the expiration of 18 months from the priority date, the international application will be published by the International Bureau. If the applicant wishes to avoid or postpone publication, a notice of withdrawal of the international application, or of the priority claim, must reach the International Bureau as provided in Rules 90bis.1 and 90bis.2, respectively, before the completion of the technical preparations for international publication.

The applicant may submit comments on an informal basis on the written opinion of the International Searching Authority to the International Bureau. The International Bureau will send a copy of such comments to all designated Offices unless an international preliminary examination report has been or is to be established. These comments would also be made available to the public but not before the expiration of 30 months from the priority date.

Within 19 months from the priority date, but only in respect of some designated Offices, a demand for international preliminary examination must be filed if the applicant wishes to postpone the entry into the national phase until 30 months from the priority date (in some Offices even later); otherwise, the applicant must, within 20 months from the priority date, perform the prescribed acts for entry into the national phase before those designated Offices.

In respect of other designated Offices, the time limit of 30 months (or later) will apply even if no demands filed within 19 months

See the Annex to Form PCT/IB/301 and, for details about the applicable time limits, Office by Office, see the PCT Applicant's Guide, Volume II, National Chapters and the WIPO Internet site.

Name and mailing address of the ISA/US
Mail Stop PCT, Attn: ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450
Facsimile No. (571) 273-3201

Authorized officer

Jeffery Gaffin Jacqueline A. Whitfield
Special Project Asst.
Telephone No. (571) 272-7772

Form PCT/ISA/220 (January 2004)

(See notes on accompanying sheet)

PATENT COOPERATION TREATY

PCT

INTERNATIONAL SEARCH REPORT

(PCT Article 18 and Rules 43 and 44)

Applicant's or agent's file reference 16113-004WO1	FOR FURTHER ACTION		see Form PCT/ISA/220 as well as, where applicable, item 5 below
International application No. PCT/US05/22962	International filing date (day/month/year) 24 June 2005 (24.06.2005)	(Earliest) Priority Date (day/month/year) 24 June 2004 (24.06.2004)	
Applicant: GOOGLE, INC.			

This international search report has been prepared by this International Searching Authority and is transmitted to the applicant according to Article 18. A copy is being transmitted to the International Bureau.

This international search report consists of a total of 4 sheets.



It is also accompanied by a copy of each prior art document cited in this report.

1. Basis of the Report

a. With regard to the language, the international search was carried out on the basis of:



the international application in the language in which it was filed.



a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

b. ☐ With regard to any nucleotide and/or amino acid sequence disclosed in the international application, see Box No. I.

2. ☐ Certain claims were found unsearchable (See Box No. II)

3. ☒ Unity of invention is lacking (See Box No. III)

4. With regard to the title,



the text is approved as submitted by the applicant.



the text has been established by this Authority to read as follows:

5. With regard to the abstract,



the text is approved as submitted by the applicant.



the text has been established, according to Rule 38.2(b), by this Authority as it appears in Box No. IV. The applicant may, within one month from the date of mailing of this international search report, submit comments to this Authority.

6. With regard to the drawings,

a. the figure of the drawings to be published with the abstract is Figure No. 2



as suggested by the applicant.



as selected by this Authority, because the applicant failed to suggest a figure.



as selected by this Authority, because this figure better characterizes the invention.

b. ☐ none of the figures is to be published with the abstract.

INTERNATIONAL SEARCH REPORT

International application No.

PCT/US05/22962

Box No. II Observations where certain claims were found unsearchable (Continuation of item 2 of first sheet)

This international search report has not been established in respect of certain claims under Article 17(2)(a) for the following reasons:

1. ☐ Claims Nos.:
because they relate to subject matter not required to be searched by this Authority, namely:
2. ☐ Claims Nos.:
because they relate to parts of the international application that do not comply with the prescribed requirements to such an extent that no meaningful international search can be carried out, specifically:
3. ☐ Claims Nos.:
because they are dependent claims and are not drafted in accordance with the second and third sentences of Rule 6.4(a).

Box No. III Observations where unity of invention is lacking (Continuation of item 3 of first sheet)

This International Searching Authority found multiple inventions in this international application, as follows:
Please See Continuation Sheet

1. ☐ As all required additional search fees were timely paid by the applicant, this international search report covers all searchable claims.
2. ☐ As all searchable claims could be searched without effort justifying additional fees, this Authority did not invite payment of any additional fees.
3. ☐ As only some of the required additional search fees were timely paid by the applicant, this international search report covers only those claims for which fees were paid, specifically claims Nos.:

4. ☒ No required additional search fees were timely paid by the applicant. Consequently, this international search report is restricted to the invention first mentioned in the claims; it is covered by claims Nos.: 1-20 and 30-35

Remark on Protest

- ☐ The additional search fees were accompanied by the applicant's protest and, where applicable, the payment of a protest fee.
- ☐ The additional search fees were accompanied by the applicant's protest but the applicable protest fee was not paid within the time limits specified in the invitation.
- ☐ No protest accompanied the payment of additional search fees.

INTERNATIONAL SEARCH REPORT

International application No.

PC7/US05/22962

A. CLASSIFICATION OF SUBJECT MATTER

IPC: G06F 17/30(2006.01);G06F 7/00(2006.01)

USPC: 707/6.5

According to International Patent Classification (IPC) or to both national classification and IPC

B. FIELDS SEARCHED

Minimum documentation searched (classification system followed by classification symbols)

U.S.: 707/6, 5, 704/10

Documentation searched other than minimum documentation to the extent that such documents are included in the fields searched

Electronic data base consulted during the International search (name of data base and, where practicable, search terms used)
EAST, PALM Internet Inventor Search

C. DOCUMENTS CONSIDERED TO BE RELEVANT

Category *	Citation of document, with indication, where appropriate, of the relevant passages	Relevant to claim No.
x	US 20040163032A1 (Guo et al.) 19 August 2004 (19. 08. 2004), paragraphs [0009]-[0029]	1-20, 30-35

☐ Further documents are listed in the continuation of Box C.

☐ See patent family annex.

* Special categories of cited documents

"A" document defining the general state of the art which is not considered to be of particular relevance

"B" earlier application or patent published on or after the international filing date

"C" document which may throw doubt on priority claim(s) or which is cited to establish the publication date of another citation or other special reason (as specified)

"D" document referring to an oral disclosure, use, exhibition or other means

"E" document published prior to the international filing date but later than the priority date claimed

"F" later document published after the international filing date or priority date and not in conflict with the application but cited to understand the principle or theory underlying the invention

"G" document of particular relevance, the claimed invention cannot be considered novel or cannot be considered to involve an inventive step when the document is taken alone

"H" document of particular relevance, the claimed invention cannot be considered to involve an inventive step when the document is combined with one or more other such documents, such combination being obvious to a person skilled in the art

"I" document members of the same patent family

Date of the actual completion of the international search

26 June 2007 (26.06.2007)

Name and mailing address of the ISA/US

Mail Stop PCT, Asia, ISA/US
Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

Facsimile No. (571) 273-3204

Date of mailing of the international search report

17 SEP 2007

Authorized officer

Jeffery Gaffin Jacqueline A. Whitfield
Special Project Asst.
Telephone No. (571) 272-7772

INTERNATIONAL SEARCH REPORT

International application No.
PCT/US05/22962

BOX III. OBSERVATIONS WHERE UNITY OF INVENTION IS LACKING

This application contains the following inventions or groups of inventions which are not so linked as to form a single general inventive concept under PCT Rule 13.1. In order for all inventions to be examined, the appropriate additional examination fees must be paid.

Group I, claim(s) 1-20 & 30-35, drawn to methods employing determination of equivalence of retrieval keys and stored data by matching characteristic patterns of one data set with one or more characteristic patterns of a candidate data set.

Group II, claim(s) 21-29, drawn to methods employing concurrency and controlling the ability of a plurality of users to simultaneously access the same information or proximately located information stored in a database or file.

PATENT COOPERATION TREATY

From the
INTERNATIONAL SEARCHING AUTHORITY

To:
JOHN A. DRAGSETH
FISH & RICHARDSON P.C.
3300 DAIN RAUSCHER PLAZA
60 SOUTH 6TH STREET
MINNEAPOLIS, MN 55402

PCT

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY

(PCT Rule 43bis.1)

Applicant's or agent's file reference 16113-004WO1		Date of mailing (day/month/year) 17 SEP 2007
International application No. PCT/US05/22962		FOR FURTHER ACTION See paragraph 2 below
International filing date (day/month/year) 24 June 2005 (24.06.2005)	Priority date (day/month/year) 24 June 2004 (24.06.2004)	
International Patent Classification (IPC) or both national classification and IPC IPC: G06F 17/00(2006.01);G06F 7/00(2006.01) USPC: 707/6.5		
Applicant GOOGLE, INC.		

1. This opinion contains indications relating to the following items:

- | | | |
|-------------------------------------|--------------|--|
| <input checked="" type="checkbox"/> | Box No. I | Basis of the opinion |
| <input type="checkbox"/> | Box No. II | Priority |
| <input type="checkbox"/> | Box No. III | Non-establishment of opinion with regard to novelty, inventive step and industrial applicability |
| <input checked="" type="checkbox"/> | Box No. IV | Lack of unity of invention |
| <input checked="" type="checkbox"/> | Box No. V | Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability, citations and explanations supporting such statement |
| <input type="checkbox"/> | Box No. VI | Certain documents cited |
| <input type="checkbox"/> | Box No. VII | Certain defects in the international application |
| <input type="checkbox"/> | Box No. VIII | Certain observations on the international application |

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA") except that this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA/ IUS Mail Stop PCT, Attn: ISA/US Commissioner for Patents P.O. Box 1450 Alexandria, Virginia 22313-1450 Facsimile No. (571) 273-3201	Date of completion of this opinion 26 June 2007 (26.06.2007)	Authorized officer Jeffery Gaffney/Jacqueline A. Whitfield Special Project Asst. Telephone No. (571) 272-7772
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Form PCT/ISA/237 (cover sheet) (April 2005)

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US05/22962

Box No. 1 Basis of this opinion

1. With regard to the language, this opinion has been established on the basis of:

- ☒ the international application in the language in which it was filed
☐ a translation of the international application into _____, which is the language of a translation furnished for the purposes of international search (Rules 12.3(a) and 23.1(b)).

2. With regard to any nucleotide and/or amino acid sequence disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:

a. type of material

- ☐ a sequence listing
☐ table(s) related to the sequence listing

b. format of material

- ☐ on paper
☐ in electronic form

c. time of filing/furnishing

- ☐ contained in the international application as filed.
☐ filed together with the international application in electronic form.
☐ furnished subsequently to this Authority for the purposes of search.

3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table(s) relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.

4. Additional comments:

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.

PCT/US05/22962

Box No. IV Lack of unity of invention

1. ☒ In response to the invitation (Form PCT/ISA/206) to pay additional fees the applicant has, within the applicable time limit:
- ☐ paid additional fees
 - ☐ paid additional fees under protest and, where applicable, the protest fee
 - ☐ paid additional fees under protest but the applicable protest fee was not paid
 - ☒ not paid additional fees
2. ☐ This Authority found that the requirement of unity of invention is not complied with and chose not to invite the applicant to pay additional fees.
3. This Authority considers that the requirement of unity of invention in accordance with Rule 13.1, 13.2 and 13.3 is
- ☐ complied with
 - ☒ not complied with for the following reasons:
See the lack of unity section of the International Search Report (Form PCT/ISA/210)
4. Consequently, this opinion has been established in respect of the following parts of the international application:
- ☐ all parts.
 - ☒ the parts relating to claims Nos. 1-20 and 30-35

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PC/T/US05/22962

Box No. V Reasoned statement under Rule 43 bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)

Claims NONE YES

Claims 1-20, 30-35 NO

Inventive step (IS)

Claims NONE YES

Claims 1-20, 30-35 NO

Industrial applicability (IA)

Claims NONE YES

Claims NONE NO

2. Citations and explanations:

Please See Continuation Sheet

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No.
PCT/US05/22962

Supplemental Box

In case the space in any of the preceding boxes is not sufficient.

V. 2. Citations and Explanations:

Claims 1-20 & 30-35 lack novelty under PCT Article 33(2) as being anticipated by Guo et al (USIPK Pub No. 20040163032A1).

As for Claim 1, Guo et al teaches, "receiving at a computer information indicative of predictive textual outcomes" (see Fig. 3; see paragraph [0009], [0010] and [0021]); "generating dictionary data from the received information" (see paragraph [0019], [0023], [0025], and [0028]); and "providing the dictionary data to text entry device remote from the computer" (see paragraph [0010], [0017], and [0020]).

As for Claim 2, Guo et al teaches, "the received information relates to search requests made by a plurality of remote searchers" (see Fig. 3 (304); see paragraph [0010], [0015], and [0017]).

As for Claim 3, Guo et al teaches, "the received information is indicative of search term popularity" (see paragraph [0023]).

As for Claim 4, Guo et al teaches, "the dictionary data comprises a plurality of terms with a corresponding plurality of predictive weightings" (see paragraph [0009], [0021], [0025], and [0029]; whereas Guo's teachings of various databases, such as the word path, word frequency and word pair databases, is equivalent to applicant's teachings of dictionary data).

As for Claim 5, Guo et al teaches, "the dictionary data includes weightings for co-concurrence events between two or more terms" (see paragraph [0023], [0025] and [0029]).

As for Claim 6, Guo et al teaches, "the dictionary data is provided to the remote text entry device in response to a request from the device" (see paragraph [0017], [0020], [0023], and [0025]).

As for Claim 7, Guo et al teaches, "the request comprises a search request, and the dictionary data is provided along with results to the search request" (see paragraph [0009], [0010], [0025], and [0030]).

As for Claim 8, Guo et al teaches, "the received information is obtained as the result of crawling one or more information storage locations" (see paragraph [0019], [0023], [0025], and [0028]).

WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY

International application No
PCT/H505/22962

Supplemental Box
In case the space in any of the preceding boxes is not sufficient.

As for Claim 9, Guo et al teaches, "one or more information storage locations comprise e-mail storage" (see paragraph [0019], [0023], [0025], and [0028]).

As for Claim 10, Guo et al teaches, "one or more storage locations correspond to a predefined group of locations for an organization, and the dictionary data represents predictive textual outcomes for that organization" (see paragraph [0019], [0023], [0025], and [0028]).

As for Claim 11, Guo et al teaches, "compressing the dictionary data before providing it to the remote device" (see paragraph [0020]).

As for Claim 12, Guo et al teaches, "dictionary data comprises supplemental data for addition to a preexisting dictionary" (see paragraph [0019], [0023], [0025], and [0028]).

As for Claim 13, Guo et al teaches, "receiving a search request, generating a search result, and providing the search result along with the dictionary data" (see paragraph [0009], [0010], [0025], and [0030]).

As for Claim 14, Guo et al teaches, "the dictionary data comprises data from documents relating to the search result" (see paragraph [0017], [0019], and [0020]).

As for Claim 15, Guo et al teaches, "a request processor to receive data requests from one or more remote clients" (see Fig. 3 (304); see paragraph [0010], [0015], and [0017]); "a dictionary generator to produce information for use by the one or more clients containing predictive data entry information for the one or more clients" (see paragraph [0019], [0023], [0025], and [0028]); and "a response formatter to receive information responsive to the data requests including predictive data entry information, and provide the information responsive to the data requests for use by the one or more clients" (see paragraph [0020], [0021], [0023], and [0025]).

As for Claim 16, Guo et al teaches, "the dictionary generator comprises a concurrence rater that calculates predicted concurrence scores for a plurality of objects" (see paragraph [0028], [0029]).

As for Claim 17, Guo et al teaches, "the plurality of objects comprises a plurality of terms that may be entered by a user in generating a data request" (see paragraph [0010], [0017]).

As for Claim 18, Guo et al teaches, "an object picker to identify objects in a document for submission to the concurrence rater" (see paragraph [0009], [0023], [0025], and [0029]).

As for Claim 19, Guo et al teaches, "the object picker is adapted to scan a plurality of defined documents for data indicative of the occurrence of words in the documents and concurrence between words in the documents" (see paragraph [0009], [0023], [0025], and [0029]).

As for Claim 20, Guo et al teaches, "a search engine to receive a plurality of requests and to provide the requests for transmission by the response formatter along with predictive data entry information" (see paragraph [0010], [0021], [0022], and [0024]).

As for Claim 30, Guo et al teaches, "a transceiver to receive and transmit information" (see paragraph [0010], [0015]); "a vocabulary repository containing information indicative of the probable intended usage of ambiguous information entered by a user of the device, the occurrence data reflecting usage practices of the user or another user or users" (see paragraph [0017], [0019]), "and a disambiguation engine to resolve the ambiguous information provided to the device to a probable solution by identifying possible solutions and to apply the information indicative of probable intended usage to the possible solutions" (see paragraph [0010], [0020], and [0025]); whereas Guo's teachings of a processor and its functions are equivalent to the applicant's teachings of a disambiguation engine).

As for Claim 31, Guo et al teaches, "the transmitter comprises a wireless transmitter" (see paragraph [0010], [0015]).

As for Claim 32, Guo et al teaches, "occurrence data contains data that represents usage practices by members of a demographic group" (see paragraph [0009], [0023], [0025], and [0029]).

As for Claim 33, Guo et al teaches, "a display to present one or more of the identified possible solutions in order from most probable solution to least probable solution" (see paragraph [0014], [0016]).

As for Claim 34, Guo et al teaches, "the disambiguation engine is configured to select a solution and provide the solution to the transceiver for transmission" (see paragraph [0010], [0020], and [0025]).

As for Claim 35, Guo et al teaches, "the vocabulary repository can be updated with information indicative of probable intended usage based on of the selected solution" (see paragraph [0017], [0019]).

NOTES TO FORM PCT/ISA/220

These Notes are intended to give the basic instructions concerning the filing of amendments under Article 19. The Notes are based on the requirements of the Patent Cooperation Treaty, the Regulations and the Administrative Instructions under that Treaty. In case of discrepancy between these Notes and those requirements, the latter are applicable. For more detailed information, see also the *PCT Applicant's Guide*, a publication of WIPO.

In these Notes, "Article," "Rule" and "Section" refer to the provisions of the PCT, the PCT Regulations and the PCT Administrative Instructions, respectively.

INSTRUCTIONS CONCERNING AMENDMENTS UNDER ARTICLE 19

The applicant has, after having received the international search report and the written opinion of the International Searching Authority, one opportunity to amend the claims of the international application. It should however be emphasized that, since all parts of the international application (claims, description and drawings) may be amended during the international preliminary examination procedure, there is usually no need to file amendments of the claims under Article 19 except where, e.g. the applicant wants the latter to be published for the purposes of provisional protection or has another reason for amending the claims before international publication. Furthermore, it should be emphasized that provisional protection is available in some States only (see *PCT Applicant's Guide*, Volume I/A, Annexes B1 and B2).

The attention of the applicant is drawn to the fact that amendments to the claims under Article 19 are not allowed where the International Searching Authority has declared, under Article 17(2), that no international search report would be established (see *PCT Applicant's Guide*, Volume I/A, paragraph 296).

What parts of the international application may be amended ?

Under Article 19, only the claims may be amended.

During the international phase, the claims may also be amended (or further amended) under Article 34 before the International Preliminary Examining Authority. The description and drawings may only be amended under Article 34 before the International Preliminary Examining Authority.

Upon entry into the national phase, all parts of the international application may be amended under Article 28 or, where applicable, Article 41.

When ? Within 2 months from the date of transmittal of the international search report or 16 months from the priority date, whichever time limit expires later. It should be noted, however, that the amendments will be considered as having been received on time if they are received by the International Bureau after the expiration of the applicable time limit but before the completion of the technical preparations for international publication (Rule 46.1).

Where not to file the amendments ?

The amendments may only be filed with the International Bureau and not with the receiving Office or the International Searching Authority (Rule 46.2).

Where a demand for international preliminary examination has been/is filed, see below.

How ? Either by cancelling one or more entire claims, by adding one or more new claims or by amending the text of one or more of the claims as filed.

A replacement sheet must be submitted for each sheet of the claims which, on account of an amendment or amendments, differs from the sheet originally filed.

All the claims appearing on a replacement sheet must be numbered in Arabic numerals. Where a claim is cancelled, no renumbering of the other claims is required. In all cases where claims are renumbered, they must be renumbered consecutively (Section 205(b)).

The amendments must be made in the language in which the international application is to be published.

What documents must/may accompany the amendments ?

Letter (Section 205(b)):

The amendments must be submitted with a letter.

The letter will not be published with the international application and the amended claims. It should not be confused with the "Statement under Article 19(1)" (see below, under "Statement under Article 19(1)").

The letter must be in English or French, at the choice of the applicant. However, if the language of the international application is English, the letter must be in English; if the language of the international application is French, the letter must be in French.

NOTES TO FORM PCT/ISA/220 (continued)

The letter must indicate the differences between the claims as filed and the claims as amended. It must, in particular, indicate, in connection with each claim appearing in the international application (it being understood that identical indications concerning several claims may be grouped), whether

- (i) the claim is unchanged;
- (ii) the claim is cancelled;
- (iii) the claim is new;
- (iv) the claim replaces one or more claims as filed;
- (v) the claim is the result of the division of a claim as filed.

The following examples illustrate the manner in which amendments must be explained in the accompanying letter:

- 1 [Where originally there were 48 claims and after amendment of some claims there are 51]
"Claims 1 to 29, 31, 32, 34, 35, 37 to 48 replaced by amended claims bearing the same numbers, claims 30, 33 and 36 unchanged, new claims 49 to 51 added"
- 2 [Where originally there were 15 claims and after amendment of all claims there are 11]
"Claims 1 to 15 replaced by amended claims 1 to 11"
- 3 [Where originally there were 14 claims and the amendments consist in cancelling some claims and in adding new claims]
"Claims 1 to 6 and 14 unchanged; claims 7 to 13 cancelled; new claims 15, 16 and 17 added" or
"Claims 7 to 13 cancelled, new claims 15, 16 and 17 added; all other claims unchanged"
- 4 [Where various kinds of amendments are made]
"Claims 1-10 unchanged, claims 11 to 13, 18 and 19 cancelled; claims 14, 15 and 16 replaced by amended claim 14; claim 17 subdivided into amended claims 15, 16 and 17; new claims 20 and 21 added"

"Statement under Article 19(1)" (Rule 46.4)

The amendments may be accompanied by a statement explaining the amendments and indicating any impact that such amendments might have on the description and the drawings (which cannot be amended under Article 19(1)).

The statement will be published with the international application and the amended claims.

It must be in the language in which the international application is to be published.

It must be brief, not exceeding 500 words if in English or if translated into English.

It should not be confused with and does not replace the letter indicating the differences between the claims as filed and as amended. It must be filed on a separate sheet and must be identified as such by a heading, preferably by using the words "Statement under Article 19(1)."

It may not contain any disparaging comments on the international search report or the relevance of citations contained in that report. Reference to citations, relevant to a given claim, contained in the international search report may be made only in connection with an amendment of that claim.

Consequence if a demand for international preliminary examination has already been filed

If, at the time of filing any amendments and any accompanying statement, under Article 19, a demand for international preliminary examination has already been submitted, the applicant must preferably, at the time of filing the amendments (and any statement) with the International Bureau, also file with the International Preliminary Examining Authority a copy of such amendments (and of any statement) and, where required, a translation of such amendments for the procedure before that Authority (see Rules 55.3(a) and 62.2, first sentence). For further information, see the Notes to the demand form (PCT/ISA/401).

If a demand for international preliminary examination is made, the written opinion of the International Searching Authority will, except in certain cases where the International Preliminary Examining Authority did not act as International Searching Authority and where it has notified the International Bureau under Rule 66.1(b)(b), be considered to be a written opinion of the International Preliminary Examining Authority. If a demand is made, the applicant may submit to the International Preliminary Examining Authority a reply to the written opinion together, where appropriate, with amendments before the expiration of 3 months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later (Rule 43bis.1(c)).

Consequence with regard to translation of the international application for entry into the national phase

The applicant's attention is drawn to the fact that, upon entry into the national phase, a translation of the claims as amended under Article 19 may have to be furnished to the designated/elected Offices, instead of, or in addition to, the translation of the claims as filed.

For further details on the requirements of each designated/elected Office, see the *PCT Applicant's Guide*, Volume II.